

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED
2014 APR 23 PM 2:02
DEPUTY CLERK *D.A.*

DEREK WAYNE MONTEZ,

Petitioner,

v.

2:14-CV-041

JO CARTER,
District Clerk, Randall County

Respondent.

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**ORDER ADOPTING REPORT AND RECOMMENDATION
AND DISMISSING PETITION FOR A WRIT OF MANDAMUS**

Petitioner has filed with this Court a motion construed as a petition for writ of mandamus. On April 2, 2014, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein the instant petition be dismissed. As of this date, no objections to the Magistrate Judge's Report and Recommendation have been filed of record.

Having made an independent examination of the record in this case, the undersigned United States District Judge is of the opinion the Magistrate Judge's Report and Recommendation should be, and hereby is, ADOPTED. Accordingly, the petition for a writ of mandamus is hereby DISMISSED and petitioner's request to proceed *in forma pauperis* is DENIED.

IT IS SO ORDERED.

ENTERED this 23rd day of April 2014.

Mary Lou Robinson
MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE